

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) Case No. 06-619M  
ALBERT ALANIZ BARRIENTES, ) DETENTION ORDER  
Defendant. )

Offenses charged:

Count 1. Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c)(1).

Count 2: Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g)(1).

Date of Detention Hearing: November 17, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.

01 (2) Defendant's full background and connections with this jurisdiction were unknown  
02 at the time of the detention hearing, as he did not submit to an interview with Pretrial Services.  
03 Nevertheless, it appears that the defendant has an extensive criminal background. This  
04 background also indicates failure to appear as required, attempts to elude police officers, and a  
05 history of failing to comply with Court orders.

06 (3) Defendant is associated with at least ten alias names, five dates of birth, and two  
07 social security numbers.

08 (4) Defendant has a past history of violations relating to controlled substances. It is  
09 unknown whether he has an on-going substance problem, because he was not interviewed.

10 (5) No conditions or combination of conditions other than detention will reasonably  
11 assure the appearance of the defendant as required or address the issues of safety to the  
12 community.

13 IT IS THEREFORE ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the  
15 Attorney General for confinement in a correction facility separate, to the extent  
16 practicable, from persons awaiting or serving sentences or being held in custody  
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the  
21 government, the person in charge of the corrections facility in which defendant  
22 is confined shall deliver the defendant to a United States Marshal for the purpose  
23 of an appearance in connection with a court proceeding; and

24 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
25 counsel for the defendant, to the United States Marshal, and to the United States  
26 Pretrial Services Officer.

01 DATED this 20th day of November, 2006.  
02  
03  
04

*James P. Donohue*

05  
06 JAMES P. DONOHUE  
07 United States Magistrate Judge  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26